

October 10, 2012

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on October 10, 2012, 10:00 a.m. Present were Commissioners Kalk, Cramer, and Fetch.

## Portfolios

Mr. Kalk: I move the Commission consolidate the Administrative Portfolio, Technology Portfolio, and the accounting function into a Business Operations Portfolio.

I further move that Commission portfolios be allocated as follows:

Commissioner Kalk – Business Operations, Electric Generation & Transmission, Telecommunications, and Pipeline Safety.

Commissioner Cramer – Mining and Pipelines.

Commissioner Fetch – Gas and Electric Distribution, Licensing (Grain and Auctioneers), Railroads, and Weights and Measures.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

## Minutes

Mr. Cramer: I move the minutes of September 27, 2012 be approved.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-07-759  
Northern States Power Company  
Fargo - St. Cloud MN 345 KV CapX  
Transmission Line  
Siting Application

Mr. Cramer: I move the Commission contract with Wenck Associates, Inc. for construction inspection services concerning Northern States Power Company's application to construct a 33 mile 345 kV transmission line and switching station in Cass County, North Dakota, Case No. PU-07-759.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-32  
Ashtabula Wind LLC  
Electric Generation/Wind –  
Barnes County  
Siting Application

Mr. Cramer: I move the Commission contract with Wenck Associates, Inc. for construction inspection services concerning Ashtabula Wind LLC's application to construct a 200 MW wind facility in Barnes County, North Dakota, Case No. PU-08-32.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-73  
Ashtabula Wind LLC  
230kv Electric Transmission Line  
Barnes County  
Siting Application

Mr. Cramer: I move the Commission contract with Wenck Associates, Inc. for construction inspection services concerning Ashtabula Wind LLC's application to construct approximately 9 miles of 230 kV electric transmission line in Barnes County, North Dakota, Case No. PU-08-73.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-107  
M-Power, LLC  
230 kV Transmission Line  
Barnes/Steele County  
Siting Application

Mr. Cramer: I move the Commission contract with Wenck Associates, Inc. for construction inspection services concerning Otter Tail Corporation's application to construct approximately 13 miles of 230 kV electric transmission line in Barnes and Steele Counties, North Dakota, Case No. PU-08-107 and Case No. PU-09-388.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-388  
Otter Tail Corporation  
Luverne 230 kV Transmission Line –  
Barnes / Steele  
Siting Application

Case No. PU-09-151  
Allete, Inc.  
Bison 1 Wind Project –  
Oliver / Morton Counties  
Siting Application

Mr. Cramer: I move the Commission contract with Wenck Associates, Inc. for construction inspection services concerning Allete Inc.'s application to construct an 81.8 MW wind energy facility in Morton and Oliver Counties, North Dakota, Case No. PU-09-151.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-668  
Baldwin Wind, LLC  
102 MW Baldwin Wind Energy Center -  
Burleigh County.  
Siting Application

Mr. Cramer: I move the Commission contract with Wenck Associates, Inc. for construction inspection services concerning Baldwin Wind, LLC's application to construct a 102.4 MW wind energy facility in Burleigh County, North Dakota, Case No. PU-09-668.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-674  
Otter Tail Power Company  
230 kV Electric Transmission Line –  
Sargent County  
Siting Application

Mr. Cramer: I move the Commission contract with Wenck Associates, Inc. for construction inspection services concerning Otter Tail Power Company's application to construct a 0.53 mile reroute of its Hankinson-Ellendale 230 kV transmission line in Sargent County, North Dakota, Case No. PU-09-674.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-147  
Ashtabula Wind III, LLC  
Ashtabula III Wind Energy Center -  
Barnes County  
Siting Application

Mr. Cramer: I move the Commission contract with Wenck Associates, Inc. for construction inspection services concerning Ashtabula Wind III LLC's application to construct a 69 MW wind energy facility in Barnes County, North Dakota, Case No. PU-10-147.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-631  
Montana-Dakota Utilities Co.,  
a Division of MDU  
88 MW Simple Cycle Combustion  
Turbine  
Siting Application

Mr. Cramer: I move the Commission contract with Wenck Associates, Inc. for construction inspection services concerning Montana-Dakota Utilities Co.'s application to construct an 88 MW simple cycle combustion turbine in Morton County, North Dakota, Case No. PU-11-631.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-587  
Allete, Inc.  
230 kV Transmission Line –  
Morton/Oliver Counties  
Siting Application

Mr. Cramer: I move the Commission contract with Wenck Associates, Inc. for construction inspection services concerning Allete Inc.'s application to construct a 22.3 mile 230 kV transmission line in Morton and Oliver Counties, North Dakota, Case No. PU-09-587.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-617  
Bismarck MSA Limited Partnership  
2008 High-Cost Universal Service  
Support  
Annual Report

Mr. Cramer: I move the Commission adopt the Order Granting Trade Secret Protection as requested by the captioned 12, High-Cost Universal Service Support Annual Report cases for 2008 and 2009.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-618  
North Dakota RSA No. 3 Limited  
Partnership  
2008 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-08-619  
Badlands Cellular of North Dakota  
Limited Partners  
2008 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-08-620  
North Dakota 5 - Kidder Limited  
Partnership

2008 High-Cost Universal Service  
Support  
Annual Report

Motion Continued

Case No. PU-08-621  
North Central RSA 2 of North Dakota  
Limited Partne  
2008 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-08-622  
Northwest Dakota Cellular of North  
Dakota Limited  
2008 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-09-562  
Badlands Cellular of North Dakota  
Limited Partners  
2009 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-09-563  
Northwest Dakota Cellular of North  
Dakota Limited  
2009 High-Cost Universal Service  
Support  
Annual Repor

Case No. PU-09-564  
North Central RSA 2 of North Dakota  
Limited Partne  
2009 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-09-565  
North Dakota RSA No. 3 Limited  
Partnership  
2009 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-09-566  
Bismarck MSA Limited Partnership  
2009 High-Cost Universal Service  
Support  
Annual Report

Motion Continued

Case No. PU-09-567  
North Dakota 5 - Kidder Limited  
Partnership  
2009 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-10-538  
North Dakota RSA No. 3 Limited  
Partnership  
2010 High-Cost Universal Service  
Support  
Annual Report

Mr. Cramer: I move the Commission adopt the  
Order Granting Trade Secret Protection as requested by  
the captioned 12, High-Cost Universal Service Support  
Annual Report cases for 2010 and 2011.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-539  
Badlands Cellular of North Dakota  
Limited Partners  
2010 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-10-540  
Northwest Dakota Cellular of North  
Dakota Limited  
2010 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-10-543  
North Dakota 5 - Kidder Limited  
Partnership  
2010 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-10-544  
North Central RSA 2 of North Dakota  
Limited Partne  
2010 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-10-546  
Bismarck MSA Limited Partnership  
2010 High-Cost Universal Service  
Support  
Annual Report

Motion Continued

Case No. PU-11-576  
North Dakota 5 - Kidder Limited  
Partnership  
2011 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-11-577  
North Dakota RSA No. 3 Limited  
Partnership  
2011 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-11-578  
Bismarck MSA Limited Partnership  
2011 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-11-579  
North Central RSA 2 of North Dakota  
Limited Partne  
2011 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-11-580  
Northwest Dakota Cellular of North  
Dakota Limited  
2011 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-11-581  
Badlands Cellular of North Dakota  
Limited Partners  
2011 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-08-658  
Missouri Valley Communications, Inc.  
2008 High-Cost Universal Service  
Support  
Annual Report

Mr. Cramer: I move the Commission adopt the Order Granting Trade Secret Protection as requested on behalf of the named companies who are members of the Rural Telephone Company Group, in the captioned 50 High-Cost Universal Service Support Annual Report cases for 2008, 2009, 2010, and 2011.

Case No. PU-08-685  
Dakota Central Telecom I, Inc.  
2008 High-Cost Universal Service  
Support  
Annual Report

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-612  
Dakota Central Telecommunications  
Cooperative  
2009 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-09-621  
Polar Communications Mutual Aid  
Corporation  
2009 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-09-624  
Missouri Valley Communications, Inc.  
2009 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-10-515  
Polar Communications Mutual Aid  
Corporation  
2010 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-10-516  
West River Telecommunications  
Cooperative  
2010 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-10-517  
Turtle Mountain Comm./United  
Telephone Mutual Aid  
2010 High-Cost Universal Service  
Support  
Annual Report

Motion Continued

Case No. PU-10-518  
Reservation Telephone Cooperative  
2010 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-10-519  
Wolverton Telephone Company  
2010 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-10-520  
Polar Telcom, Inc.  
2010 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-10-521  
Northwest Communications  
Cooperative, a Cooperativ  
2010 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-10-522  
North Dakota Telephone Company  
2010 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-10-523  
Sagebrush Cellular, Inc.  
2010 High-Cost Universal Service  
Support  
Annual Report



Case No. PU-10-524  
Nemont Telephone Coop./Missouri  
Valley Comm.  
2010 High-Cost Universal Service  
Support  
Annual Report

Motion Continued

Case No. PU-10-525  
Dakota Central Telecom. Coop. /  
Dakota Central Tel  
2010 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-10-526  
Midstate Telephone Company  
2010 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-10-527  
Midstate Communications Inc.  
2010 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-10-528  
Inter-Community Telephone Company,  
L.L.C.  
2010 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-10-529  
Halstad Telephone Company  
2010 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-10-530  
Moore and Liberty Telephone  
Company  
2010 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-10-531  
Griggs County Telephone Co.  
2010 High-Cost Universal Service  
Support  
Annual Report

Motion Continued

Case No. PU-10-532  
Dickey Rural Telephone Cooperative  
2010 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-10-533  
Dickey Rural Communications, Inc.  
2010 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-10-534  
Dickey Rural Access, Inc.  
2010 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-10-535  
Consolidated Telcom  
2010 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-10-536  
BEK Communications Cooperative  
2010 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-11-534  
North Dakota Telephone Co  
2011 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-11-535  
Northwest Communications  
Cooperative, a Cooperativ  
2011 High-Cost Universal Service  
Support  
Annual Report

Motion Continued

Case No. PU-11-536  
Polar Communications Mutual Aid  
Corporation  
2011 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-11-537  
Polar Communications Mutual Aid  
Corporation  
2011 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-11-538  
Polar Telcom, Inc.  
2011 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-11-539  
Wolverton Telephone Company  
2011 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-11-540  
Reservation Telephone Cooperative  
2011 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-11-541  
United Telephone Mutual Aid  
Corporation  
2011 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-11-582  
West River Telecommunications  
Cooperative  
2011 High-Cost Universal Service  
Support  
Annual Report

Motion Continued

Case No. PU-11-583  
Sagebrush Cellular, Inc.  
2011 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-11-584  
Nemont Telephone Coop.,  
Inc./Missouri Valley Comm.  
2011 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-11-585  
Midstate Telephone Company  
2011 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-11-586  
Midstate Communications Inc.  
2011 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-11-587  
Inter-Community Telephone  
Company, L.L.C.  
2011 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-11-588  
Halstad Telephone Company  
2011 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-11-589  
Moore and Liberty Telephone  
Company  
2011 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-11-590  
Griggs County Telephone Co.  
2011 High-Cost Universal Service  
Support  
Annual Report

Motion Continued

Case No. PU-11-591  
Dickey Rural Communications, Inc.  
2011 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-11-592  
Dickey Rural Telephone Cooperative  
2011 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-11-593  
Dickey Rural Access, Inc.  
2011 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-11-594  
Dakota Central Telecomm.  
Coop./Dakota Central Tel  
2011 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-11-595  
Consolidated Telcom  
2011 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-11-596  
BEK Communications Cooperative  
2011 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-12-762  
Dickey Rural Telephone Cooperative  
Switched Access  
Price Schedule

Mr. Cramer: I move the Commission suspend the  
proposed switched access price schedules of Dickey  
Rural Telephone Cooperative, Case No. PU-12-762.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-3673-09-151  
Allete, Inc.  
Bison 1 Wind Project –  
Oliver / Morton Counties  
Siting Application

Mr. Cramer: I move the Commission approve ALLETE, Inc.'s Tree and Shrub Mitigation Plans filed in the captioned cases on 9/6/2011 and 3/7/2012.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-587  
Allete, Inc.  
230 kV Transmission Line –  
Morton/Oliver Counties  
Siting Application

Case No. PU-11-57  
Allete, Inc.  
Bison 2 Wind Project –  
Oliver-Morton Counties  
Siting Application

Case No. GS-12-744  
2013 Federal/State Gas Pipeline  
Safety  
Grants and Contracts

Mr. Cramer: I move the Commission acknowledge the September 25, 2012 electronic submittal of the 2013 Federal/State Gas Pipeline Safety Grant Application in the amount of \$189,500 to the U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration, Washington, D.C. for the operation and management of the 2013 North Dakota intrastate gas pipeline safety program.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-07-169  
Basin Electric Power Cooperative  
230 kV Transmission Line/  
Stark to Bowman County  
Siting Application

Mr. Cramer: I move the Commission contract with Keitu Engineers & Consultants, Inc. for construction inspection services concerning Basin Electric Power Cooperative's application to construct a 74 mile 230 kV transmission line and substation upgrades in Stark, Slope, and Bowman Counties, North Dakota, Case No. PU-07-169.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-07-671  
Basin Electric Power Coop Inc.  
230 kV Transmission Line /  
Williams & Mountrail Counties  
Siting Application

Mr. Cramer: I move the Commission contract with Keitu Engineers & Consultants, Inc. for construction inspection services concerning Basin Electric Power Cooperative's application to construct a 61 mile 230 kV transmission line in Mountrail and Williams Counties, North Dakota, Case No. PU-07-671.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-692  
Basin Electric Power Cooperative  
345/230 kV Transmission Line -  
Williams County  
Siting Application

Mr. Cramer: I move the Commission contract with Keitu Engineers & Consultants, Inc. for construction inspection services concerning Basin Electric Power Cooperative's application to construct 0.2 miles of 230 kV, 1.9 miles of 230/115 kV, and 1.62 miles of 345/115 kV transmission line in Williams County, North Dakota, Case No. PU-11-692.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-162  
Public Utilities  
Rulemaking

Mr. Cramer: I move the Commission rescind the August 29, 2012, Motion adopting Order Submitting Rules to Attorney General and adopt the October 10, 2012, Order Submitting Rules to Attorney General in Case No. PU-12-162, Public Utilities Rulemaking, Case No. PU-12-165, Siting Rulemaking, and Case No. RC-12-166, Reclamation Rulemaking, for an opinion as to legality.

Case No. PU-12-165  
Siting  
Rulemaking

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-12-166  
Reclamation  
Rulemaking

Case No. PU-12-433  
AT&T Communications of the  
Midwest, Inc.  
vs. YMax Communications Corp.  
Complaint

Mr. Cramer: I move the Commission adopt the Order Granting Withdrawal of Complaint and Cancelling Hearing in the complaint of AT&T Communications of the Midwest, Inc. vs YMAX Communications Corp. regarding the price for VoIP-PSTN traffic access functions, Case No. PU-12-433.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-99  
Arrow Field Services, LLC  
4 Bears to CDP Connect Project -  
McKenzie County  
Siting Application

Mr. Cramer: I move the Commission contract with Wenck Associates, Inc. for construction inspection services concerning Arrow Field Services, LLC's application to construct a 1.5 mile 8-inch pipeline in McKenzie County, North Dakota, Case No. PU-11-99.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-120  
Hess Corporation  
Tioga Gas Plant Addition -  
Williams County  
Siting Application

Mr. Cramer: I move the Commission contract with Carlson McCain, Inc. for construction inspection services concerning Hess Corporation's application to construct an addition to its existing Tioga Gas Plant in Williams County, North Dakota, Case No. PU-10-120.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-555  
Hiland Operating, LLC  
8-Inch Nat. Gas Main & Lateral  
Pipeline  
Siting Application

Mr. Cramer: I move the Commission contract with Carlson McCain, Inc. for construction inspection services concerning Hiland Operating, LLC's application to construct a 5.1 mile main pipeline and a 1,500 foot lateral pipeline in McKenzie County, North Dakota, Case No. PU-10-555.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-104  
Hess Corporation  
NGL Pipelines - Williams County  
Siting Application

Mr. Cramer: I move the Commission contract with Carlson McCain, Inc. for construction inspection services concerning Hess Corporation's application to construct three 3.6 mile collocated pipelines in Williams County, North Dakota, Case No. PU-11-104.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-630  
Plains Pipeline, L.P.  
Crude Oil Pipeline - Williams County  
Siting Application

Mr. Cramer: I move the Commission acknowledge the October 2, 2012 staff approval of a route deviation requested on September 24, 2012 by Plains Pipeline, L.P. for the construction of a 32.1 mile, 12.75 inch outside diameter, crude oil pipeline in Williams County of North Dakota, Case No. PU-10-630.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-40  
Plains Pipeline, L.P.  
Nelson to Ross Pipeline –  
Mountrail County  
Siting Application

Mr. Cramer: I move the Commission acknowledge the September 14, 2012 staff approval of a route modification requested on August 31, 2012 and the October 2, 2012 staff approval of a route and corridor amendment requested on September 27, 2012 by Plains Pipeline, L.P. for the construction of a 10.75-inch crude oil pipeline located in Mountrail County, North Dakota, Case No. PU-12-40.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-656  
ONEOK Rockies Midstream, L.L.C.  
Garden Creek II Plant –  
McKenzie County, ND  
Siting Application

Mr. Cramer: I move the Commission find the application of ONEOK Rockies Midstream, L.L.C. for a Certificate of Site Compatibility, for its proposed Garden Creek II Plant, a 100 million standard cubic feet per day gas processing plant in McKenzie County, is complete, Case No. PU-12-656.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."



Case No. PU-10-666  
Bear Paw Energy, LLC  
Gas Processing Plants –  
Williams County  
Siting Application

Mr. Cramer: I move the Commission contract with Keitu Engineers & Consultants, Inc. for construction inspection services concerning Bear Paw Energy, LLC's application to construct a gas processing plants in Williams County, North Dakota, Case No. PU-10-666.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-153  
Hawthorn Oil Transportation  
(North Dakota), Inc.  
8- inch Crude Oil Pipeline –  
Mountrail County  
Siting Application

Mr. Cramer: I move the Commission contract with Keitu Engineers & Consultants, Inc. for construction inspection services concerning Hawthorn Oil Transportation (North Dakota), Inc.'s application to construct a 6 mile 8-inch pipeline in Mountrail County, North Dakota, Case No. PU-09-153.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-568  
Bear Paw Energy, LLC  
Garden Creek Plant - Gas Processing -  
McKenzie County  
Siting Application

Mr. Cramer: I move the Commission contract with Keitu Engineers & Consultants, Inc. for construction inspection services concerning Bear Paw Energy, LLC's application to construct a gas processing plant in McKenzie County, North Dakota, Case No. PU-10-568.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-109  
Vantage Pipeline US LP  
Natural Gas Liquids Pipeline –  
Williams and Divide Counties  
Siting Application

Mr. Cramer: I move the Commission contract with Keitu Engineers & Consultants, Inc. for construction inspection services concerning Vantage Pipeline US LP's application to construct a 79.8 mile 10-inch natural gas liquids pipeline in Williams and Divide Counties, North Dakota, Case No. PU-11-109.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-743  
Otter Tail Power Company  
Courtney Boettcher - McHenry County  
Public Convenience & Necessity

Mr. Cramer: I move the Commission issue a Notice of Opportunity for Hearing in the application of Otter Tail Power Company to extend electric service to Courtney Boettcher at a location in McHenry County, North Dakota, Case No. PU-12-743.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-760  
Otter Tail Power Company  
Rural Tower Network-Cass County  
Public Convenience & Necessity

Mr. Cramer: I move the Commission issue a Notice of Opportunity for Hearing in the application of Otter Tail Power Company to extend electric service to Rural Tower Network at a location in Cass County, North Dakota, Case No. PU-12-760.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-12-761  
Farmers National Company  
Auction Clerk  
License Application

Mr. Cramer: I move the Commission approve the auction clerk license application for Farmers National Company, Omaha, Nebraska.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-12-766  
James L. Pettie  
Auctioneer  
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for James L. Pettie, Cando, North Dakota.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-631  
Montana-Dakota Utilities Co.,  
a Division of MDU  
88 MW Simple Cycle Combustion  
Turbine  
Siting Application

Mr. Kalk: I move the Commission deem the application complete and issue a notice of filing and notice of hearing in the application of Montana-Dakota Utilities Co. for a certificate of site compatibility to construct a proposed 88 MW simple cycle combustion turbine in Morton County, Case No. PU-11-63.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-685  
Missouri Valley Communications, Inc.  
Williston Rate Center  
Numbering Resources

Mr. Kalk: I move the Commission adopt the Order granting Missouri Valley Communications, Inc.'s request for a waiver of the Months to Exhaust/Utilization Threshold requirement so as to obtain three blocks of one thousand numbers from the number pool at the Williston rate center, Case No. PU-12-685.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-750  
Public Service Commission v.  
Pacific Telecom Communications  
Group, Inc.  
Complaint

Mr. Kalk: I move the Commission find the October 1, 2012 Complaint filed by the North Dakota Public Service Commission Advocacy Staff states a prima facie case and serve the complaint on the Respondent, Pacific Telecom Communications Group, Inc., Case No. PU-12-750.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-762  
Dickey Rural Telephone Cooperative  
Switched Access  
Price Schedule

Mr. Kalk: I move the Commission issue a Notice of Opportunity for Hearing concerning the proposed switched access price schedules of Dickey Rural Telephone Cooperative, Case No. PU-12-762.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Coal Regulatory and AML Programs  
2012 OSM Evaluation Reports

Mr. Cramer: I move the Commission accept the federal Office of Surface Mining's 2012 Evaluation Reports for the Coal Regulatory and Abandoned Mine Lands Programs.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-12-688  
CHS, Inc.  
Facility-Based Grain Buyer –  
Grafton, ND  
License Application

Ms. Fetch: I move the Commission adopt an order in Case No. GE-12-688 granting the request of CHS, Inc. of St. Paul, Minnesota, to operate as a facility-based grain buyer at Grafton, North Dakota.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-750  
vs. Pacific Telecom Communications  
Group, Inc.  
Complaint

Mr. Cramer: I move the Commission appoint Mark Gruman and Patrick Fahn as advocacy staff, effective October 1, 2012, in the Public Service Commission vs. Pacific Telecom Communications Group, Inc. complaint, Case No. PU-12-750.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-656  
ONEOK Rockies Midstream, L.L.C.  
Garden Creek II Plant –  
McKenzie County, ND  
Siting Application

Mr. Cramer: I move the Commission request the Director of the Office of Administrative Hearings to appoint an Administrative Law Judge to preside as a substantive hearing officer in Case No. PU-12-656, Garden Creek II Plant in McKenzie County, North Dakota.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Temporary License Approval

Mr. Cramer: I move that effective July 1, 2012, the Commissioner who holds the portfolio for Licensing Division matters is authorized to approve license applications and requests to discontinue business upon a satisfactory showing of statutory compliance.

I further move that in the event the portfolio holder is not available, another Commissioner is so authorized.

I further move that effective July 1, 2012, an authorization approved by a Commissioner is effective only until the Commission acts on the matter at a subsequent Commission Meeting.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-12-31  
Public Service Commission  
Shores Companies, Inc.  
Damage Prevention Enforcement

Mr. Cramer: I move the Commission request the Director of the Office of Administrative Hearings appoint the designated Administrative Law Judge to preside as a substantive hearing officer in Case No. GS-12-31, Public Service Commission v. Shores Companies, Inc., Damage Prevention Enforcement.

I further move the Commission cancel the hearing scheduled for Monday, October 31, 2012 at 1:30 p.m. CDT, pending further order of the substantive Administrative Law Judge.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 10:55 A.M.

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Executive Secretary

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BRIAN P. KALK, CHAIRMAN